



ATTACHMENT C

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August 31, 2004

Mitchell L. Diamond
441 E. Washington Avenue
Sunnyvale, CA 94086

Subject: Clarification of landscape and wall related issues between adjoining properties located at 414 E. Evelyn Avenue and 441 E. Washington Avenue.

Dear Mr. Diamond;

This correspondence is offered as a follow-up to your conversation with the City Manager regarding your concerns related to landscaping and wall construction as part of the residential project adjoining your property.

As you know, the final landscape plan for the neighboring project is under development. As of last week, the City Arborist reviewed the latest plant palette and recommended some modifications. Staff will be meeting with the project proponent on these changes this week. The ultimate species selection will be constrained by the width of the planting area and the need to ensure adequate space for healthy growth. Similarly, access and root ball size may limit the overall size and height of the trees at the time of installation. Be assured that the final plan will respond to the approved concept plan incorporating tall evergreen screening plantings. As a courtesy, Planning Staff will call you when the landscape plan is finalized so that you may review the plan at your convenience.

The wall located along the southern boundary of the Bristol Commons project located at 730 E. Evelyn Avenue was also discussed. Staff research has determined that the original wall was installed in approximately 1988 at a height of eight feet. A Building Permit for a four foot "lattice" extension to the wall was issued in August of 2000. Because of grade differences between properties the wall appears as five feet on the single-family home side plus the four foot extension for a total height of nine feet. The wall proposed for the residential project adjoining your property will be eight feet in height on both sides of the wall. An extension to the wall has not been discussed and, according to Building and Safety Staff, the initial wall installation should make accommodation for possible future extensions, if such extension is desired. Since the wall in question has not been installed, Planning Staff will consult with the project proponent to determine the viability of engineering the wall to accommodate a future height extension. It is important to keep in mind, however, that the type, size and location of a possible extension to the wall behind your property needs to be carefully considered as it may impact your neighbors property as well. Similarly, since the original project approval did not specify the height of the

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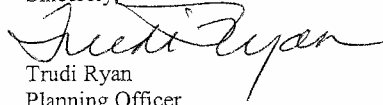
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wall, staff will need to weigh the value of keeping the option open for a possible future extension to the wall against additional costs to the applicant.

I hope the information provided in this correspondence is helpful. As noted above, I will have Fred Bell, Principal Planner call you regarding review of the final landscape plan as soon as it is available. Should you have further questions, please feel free to call me or Fred Bell at (408) 730-7440.

Sincerely,


Trudi Ryan
Planning Officer

cc City Manager
Community Development Director